

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

VIKING INSURANCE OF WISCONSIN

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:19-cv-108-KS-MTP

ASHOK SAKHRANIE; RITU SAKHRANI,
TOMMY DOIRON, DEREK RAYNER;
STATE FARM MUTUAL INSURANCE COMPANY;
AF GROUP INSURANCE COMPANY d/b/a
ACCIDENT FUND INSURANCE COMPANY OF AMERICA
CENTER, LLC, MED-TRANS CORPORATION
ACCIDENT FUND INSURANCE COMPANY OF AMERICA;
AND JOHN DOES 1-25; 26-50; 51-75 and 76-100

DEFENDANTS

ORDER

Came on this day for hearing on the Motion of the Plaintiff, Viking Insurance Company of Wisconsin (hereinafter, "Viking") for Summary Judgment seeking the dismissal of the Counterclaim filed in this cause by the Defendant, Accident Fund Insurance Company of America (hereinafter, "AF") and by the announcement by said parties that the issues raised in said pleadings have been resolved by agreement. The Court finds as follows:

1. In the filing of its Counter-Claim against, Viking, it was the intention of AF to assert its claim for reimbursement of Workers' Compensation benefits paid to the Defendants, Tommy Doiron and Derek Raymer against the Fifty Thousand and 00/100 Dollars (\$50,000.00) in insurance proceeds which have been paid by Viking into the registry of the Court pursuant to MCA Section 71-3-71. It was not the intention of AF to seek a judgment against Viking.

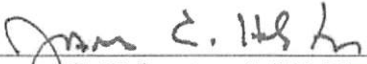
2. The Counterclaim filed by AF in this cause should be and is hereby dismissed. However, AF has reserved its statutory claim for reimbursement of Workers' Compensation benefits from the Fifty Thousand and 00/100 Dollars (\$50,000.00) paid by Viking into the registry of the Court. It will unnecessary for AF to file any further pleadings in order to perfect its claim for reimbursement pursuant to the provisions of MCA Section 71-3-71.

SO ORDERED AND ADJUDGED, this the 4th day of May, 2020.

s/Keith Starrett

UNITED STATES DISTRICT JUDGE

AGREED AND APPROVED:


James C. Helveston, MSB No. 2047
Attorney for Accident Fund Insurance Company


James E. Welch, Jr.
Attorney for Viking Insurance Company of Wisconsin

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